

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

ANTHONY GAY,

Plaintiff,

v.

KATHERINE CLOVER, MARVIN POWERS,

STACY WILLIAMSON, and WEXFORD

HEALTH SOURCES,

Defendants.

Case No.3:09-cv-925-JPG-DGW

**ORDER**

This case comes before the Court upon a review of the docket. Plaintiff Anthony Gay, a prisoner at Tamms Correctional Center, filed this lawsuit on November 3, 2009, complaining of violations of his constitutional rights (Doc. 1). He named four defendants: Katherine Clover, Marvin Powers, Stacy Williamson, and Wexford Health Sources. On April 29, 2010, Defendants Clover, Powers, and Williamson filed a response to a Motion for Default Judgment Plaintiff filed against them. In that response, those three Defendants indicated that they waived service on February 8, 2010 (Doc. 7). On May 20, 2010, the Court entered its threshold order (Doc. 9). The order indicated that Plaintiff had already effected service upon Defendants and that Defendants had entered appearances and filed a response to the Motion for Default Judgment. The threshold order did not specify that only three defendants—Clover, Powers, and Williamson—had been served. In fact, Defendant Wexford Health Sources had not been served nor had it entered an appearance in the action.

Accordingly, the Court **DIRECTS** the Clerk to prepare a summons for Wexford Health Sources using the address Plaintiff provided in a USM-285 form filed on November 3, 2009. The Clerk is **DIRECTED** to deliver the USM-285 form submitted by Plaintiff, the summons, a copy of

the complaint, and a copy of this order to the United States Marshals Service for service of process.

The United States Marshals Service is **ORDERED** to serve the summons and complaint on Defendant Wexford Health Sources within **30 days** of this order. The United States Marshals Service is **ORDERED** to file a return of service within **10 days** of serving Defendant Wexford. In the event that the United States Marshals Service is unable to serve Defendant Wexford Health Sources, the United States Marshals Service shall notify the Court of such failure within **10 days**.

**IT IS SO ORDERED.**

**DATED: September 8, 2010**

*s/ Donald G. Wilkerson*  
**DONALD G. WILKERSON**  
**United States Magistrate Judge**